

EXHIBIT AA

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 ANTHONY MANGANIELLO,

5 PLAINTIFF,

6 -against- Case No:
7 07 Civ. 3644 (HB)

8 THE CITY OF NEW YORK, DET. LUIS AGOSTINI, INDIVIDUALLY and as
9 a NEW YORK CITY POLICE DETECTIVE; SHAWN ABATE, INDIVIDUALLY
10 and as a NEW YORK CITY POLICE DETECTIVE; DEREK PARKER,
11 INDIVIDUALLY and as a NEW YORK CITY POLICE DETECTIVE; LT.
12 HENRY SCOTT, INDIVIDUALLY and as a NEW YORK CITY POLICE
13 LIEUTENANT; P.O. ALEX PEREZ, INDIVIDUALLY and as a NEW YORK
14 CITY POLICE OFFICER; P.O. MIRIAN NIEVES, INDIVIDUALLY and as
15 a NEW YORK CITY POLICE OFFICER; MICHAEL PHIPPS, INDIVIDUALLY
16 and as the COMMANDING OFFICER of the 43RD PRECINCT; JOHN
17 MCGOVERN, INDIVIDUALLY and as a NEW YORK CITY POLICE
18 DETECTIVE SERGEANT; ROBERT MARTINEZ, INDIVIDUALLY and as a
19 NEW YORK CITY POLICE DETECTIVE; GERYL MCCARTHY, INDIVIDUALLY
20 and as a NEW YORK CITY POLICE DEPUTY INSPECTOR,

21 DEFENDANTS.
22 -----X

23 DATE: December 21, 2007

24 TIME: 12:29 P.M.

25 EXAMINATION BEFORE TRIAL of the Plaintiff,
26 ANTHONY MANGANIELLO, taken by the Respective Parties,
27 pursuant to a Notice and to the Federal Rules of Civil
28 Procedure, held at the offices of MICHAEL A. CARDOZA,
29 Corporation Counsel, 100 Church Street, New York, New York
30 10007, before a Notary Public of the State of New York.

DIAMOND REPORTING (718) 624-7200 info@diamondreporting.com

A. MANGANIELLO

1 building and go to a different entrance?

2 A. Let me think. There's --

3 MR. JOSEPH: You're asking about 1700?

4 MS. FROMMER: Yes.

5 A. I remember that there was an entrance. 1700
6 connects with 1690 Metropolitan Avenue. I believe if you go
7 into 1690 to the basement, you can walk through across the
8 basement and go into the basement of 1700. Now there's a
9 side entrance at 1700 Metropolitan Avenue, and the front
10 entrance is located on Purdy Street. And there are terrace
11 level apartments. I believe they were vacant at the time.

12 Q. Was there one basement in 1700 or multiple?

13 A. There are multiple basements.

14 Q. Are they all connected together?

15 A. Some are separate, some are connected.

16 Q. But you said to get to the basement, is there one
17 -- from the outside of 1700, is there one door to the
18 basement, and then you can connect to different rooms, or are
19 there are multiple basement entrance doors.

20 A. If you want to go out, there's an entrance that
21 would lead you into the basement of 1700 Metropolitan Avenue.

22 Q. And there are different rooms inside there?

23 A. Yeah, there's a long corridor, and then there are
24 rooms to the left and the right, and there's terrace
25 apartments at the end.

A. MANGANIELLO

1 Q. So he told you?

2 A. Yeah.

3 Q. Did you ever ask the police for an attorney?

4 A. No.

5 Q. So your brother told you he was going to get you an
6 attorney?

7 A. Yeah. He also told the police that he was going to
8 bring an attorney for me.

9 Q. How do you know?

10 A. He told me this.

11 Q. He told you that he told the police?

12 A. Yes.

13 Q. Did you ever hear him tell the police?

14 A. No.

15 Q. So you took your brother's word for it?

16 A. Absolutely.

17 Q. What happened then?

18 A. He left, and then he came back later with an
19 attorney.

20 Q. How much later?

21 A. Not long.

22 Q. Can you estimate?

23 A. Maybe less than.

24 Q. What was the name of that attorney?

25 A. Mr. Rich Ross.

A. MANGANIELLO

1 officer certification?

2 A. They had their own in-house academy, and then we
3 had to take -- I think for a security it was like a 40-hour
4 course plus on-the-job training in order to get that
5 qualification, certification.

6 Q. Did that have an age cutoff?

7 A. The security I don't believe does have an age
8 cutoff.

9 Q. Have you ever reapplied to get the security
10 certification?

11 A. No, but the bulk -- what I had, I had an opening --
12 I had good shot at getting a full-time job with two
13 municipalities in Westchester County as a full-time police
14 officer.

15 Q. When was that?

16 A. That was prior to the arrest.

17 Q. But didn't you testify earlier that you didn't want
18 it because it interfered -- you already had a job?

19 A. No, no, prior the arrest, I had a state park police
20 job as part-time job. I was using that as a stepping-stone
21 to get a full-time police job. I was going to leave both
22 employments in order to go to a full-time police job, and I
23 had two really good prospects, two municipalities that were
24 interested.

25 Q. Which ones?

C E R T I F I C A T E

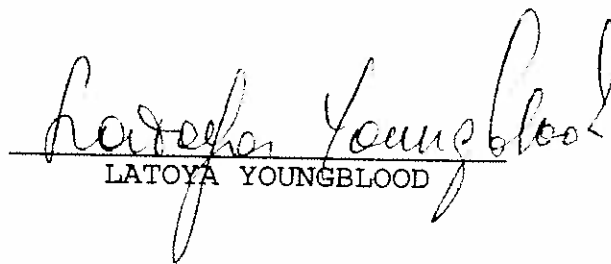
STATE OF NEW YORK)
COUNTY OF KINGS) : SS.:

I, LATOYA YOUNGBLOOD, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of January, 2008.


LATOYA YOUNGBLOOD